

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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| JONATHAN METTER | CIVIL ACTION |
| v. | NO. 20-6405 |
| CAPELLA UNIVERSITY, LLC, et al. | |

ORDER RE MOTION TO DISMISS AMENDED COMPLAINT

AND NOW, this 20th day of April, 2021, upon consideration of Defendant's Motion to Dismiss (ECF 13), the Response thereto (ECF 14), and the Reply (ECF 15), as well as the parties' supplemental memoranda regarding new Third Circuit caselaw (ECF 19, 20), and for the reasons given in the accompanying memorandum, it is hereby ordered that Defendant's Motion to Dismiss is DENIED.

BY THE COURT:

/s/ MICHAEL M. BAYLSON

MICHAEL M. BAYLSON, U.S.D.J.